

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	Case No.
)	
MICHAEL W. HENDRICKSON,)	
)	
Defendant.)	

INFORMATION

The United States Attorney charges:

INTRODUCTION

At all times material to this Information:

1. Capstone Building Corporation (“Capstone”) was a commercial construction business that specialized in multifamily housing and was located in Birmingham, Alabama, within the Northern District of Alabama.

2. **MICHAEL W. HENDRICKSON** began working at Capstone as a senior estimator in or around August 2012 and eventually became Vice President of Pre-Construction and Estimating. **HENDRICKSON** left Capstone in or around November 2023.

3. Coconspirator #1 is a former employee of Capstone.

COUNT ONE
Wire Fraud
[18 U.S.C. § 1343]

4. The factual allegations in paragraphs 1-3 of this Information are re-alleged as though fully set forth herein.

5. From in or around 2018 to in or around May 2023, in Jefferson County, within the Northern District of Alabama, and elsewhere, the defendant,

MICHAEL W. HENDRICKSON,

with intent to defraud, knowingly devised and intended to devise a scheme and artifice to defraud Capstone and to obtain money and property from Capstone by means of materially false and fraudulent pretenses, representations, and promises.

MANNER AND MEANS

6. It was part of the scheme and artifice that in or around 2018, Coconspirator #1 approached **HENDRICKSON** about a scheme to defraud Capstone by submitting false invoices to Capstone using S&S Framing Contracting LLC (“S&S Framing”), a company established by Coconspirator #2. Coconspirator #2 would and did submit false and inflated invoices to Capstone from S&S Framing, and Coconspirator #1 would pay the invoices to S&S Framing on behalf of Capstone. Coconspirator #2 would then split the fraudulently obtained funds with Coconspirator #1.

7. It was further part of the scheme and artifice that Coconspirator #1 would conceal the S&S Framing checks in Capstone's accounting software by paying them through an unmonitored pre-paid insurance account to avoid detection.

8. It was further part of the scheme and artifice that **HENDRICKSON** joined the S&S Framing scheme after it began. **HENDRICKSON** received approximately \$60,000 from his participation in this scheme.

9. It was further part of the scheme and artifice that after the S&S Framing scheme ended, **HENDRICKSON** and Coconspirator #1 engaged in a similar scheme using a company called Elite Framing & Building, LLC ("Elite Framing"). In or around August 2021, **HENDRICKSON** created this company to carry out this scheme and opened a bank account in the name of Elite Framing at HomeTown Bank in Oneonta, Alabama.

10. It was further part of the scheme and artifice that **HENDRICKSON** would submit a false Elite Framing invoice to Capstone, which Coconspirator #1 would pay to **HENDRICKSON** using a Capstone check. **HENDRICKSON** would then deposit these checks into Elite Framing's bank account and split the proceeds with Coconspirator #1 in cash. Elite Framing never did any work for Capstone.

11. It was further part of the scheme and artifice that Coconspirator #1 would conceal the Elite Framing checks in Capstone's accounting software by paying them through an unmonitored pre-paid insurance account to avoid detection.

In total, **HENDRICKSON** and Coconspirator #1 embezzled \$837,506.38 from Capstone using Elite Framing.

THE WIRE COMMUNICATION

12. On or about May 22, 2023, within the Northern District of Alabama, the defendant,

MICHAEL W. HENDRICKSON,

for the purpose of executing the above-described scheme and artifice, and attempting to do so, did knowingly transmit and cause to be transmitted in interstate commerce, by means of a wire communication, certain signs, signals and communications, that is, Defendant **MICHAEL W. HENDRICKSON** caused an interstate wire communication between Alabama and another state when he initiated an electronic transfer of funds by depositing a check in the amount of \$210,550.00 drawn on a Capstone bank account at Synovus Bank ending in -6475 into a bank account at HomeTown Bank ending in -1296 controlled by **HENDRICKSON**.

All in violation of Title 18, United States Code, Section 1343.

NOTICE OF FORFEITURE

[18 U.S.C. §§ 981(a)(1)(C), 982(a)(2)(A), and 28 U.S.C. § 2461(c)]

1. The allegations contained in Count One of this Information are re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Sections 981(a)(1)(C), 982(a)(2)(A), and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offense in violation of Title 18, United States Code, Section 1343, as set forth in Count One of this Information, the defendant shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 981(a)(1)(C), 982(a)(2)(A), and Title 28, United States Code, Section 2461(c), any and all property constituting, or derived from, proceeds the defendant obtained directly or indirectly, as a result of the commission of said offenses, including but not limited to, a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

the United States shall be entitled to forfeiture of substitute property, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1) and Title 28, United States Code, Section 2461(c).

PRIM F. ESCALONA
United States Attorney

A handwritten signature in black ink, appearing to read "G. A. Martin, Jr.", written over a horizontal line.

GEORGE A. MARTIN, JR.
RYAN S. RUMMAGE
Assistant United States Attorneys